

REMARKS

Claims 1-30 are pending in the present application. By this amendment, paragraphs beginning on page 3, 4, 6, and 7 have been amended to correct minor editorial problems. New paragraphs are added after the paragraph beginning on page 3, line 22 and discuss each of Figures 4b-e separately. Additionally, Figures 1 and 3 have been amended. Claims 1-30 stand rejected and Applicants respectfully request reconsideration in light of the following comments.

The drawings were objected to, specifically with respect to Figure 3. The amendments to this figure are believed to address the legibility and also item numbers 22, 24 and 26 are clearly shown to reference distinct elements, although this distinction was already present in original Figure 3. Applicants respectfully request withdrawal of this objection.

The specification has been objected to based on various typographical errors. The amendments made to the specification herein are believe to address and resolve these objections.

Claims 1, 3-13, 16, and 18-28 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. Specifically, the Office Action alleges that the specification does not address “enforced sequence of tasks.” Applicants respectfully traverse this rejection and submits that the “required sequence” discussed on page 7, line 27, is an example of the enablement of this claim term in the original specification. Nonetheless, this line of the specification has been amended to more clearly indicate the equivalents of the term required and “enforced.” Accordingly, Applicants respectfully request reconsideration of withdrawal of this rejection.

Claims 4, 10, 19, and 25 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement due to an alleged failure to address “required leaf task.” Applicants respectfully traverse this rejection and submits that first leaf tasks are clearly defined on page 8, line 6-7 of the specification. Additionally, steps 454 and 456 in Fig. 4c teach one of ordinary skill in the art to make and use this feature. Specifically, step 454 includes a check to determine whether a current task is a leaf task and subsequent step 456 checks to determine whether this leaf task is required. Thus, Applicants respectfully submits that this term is enabled by the specification to teach one of ordinary skill in the art to make and use the features of these claims.

Claims 5, 11, 20, and 26 were rejected under §112, first paragraph, based on the allegation that the specification does not address “non-required leaf tasks.” Applicants respectfully traverse this rejection and submits that steps 454 and 456 of Figure 4c again enabling one of ordinary skill in the art to make and use this feature. In particular, step 454 determines if the current task is a leaf task. If so, the algorithm determines in step 456 whether the current task is required. If the current task is not required then, *a priori*, the result is a determination of a non-required leaf task. Accordingly, Applicants respectfully submit that this term is enabled in accordance with the requirements of §112, first paragraph, and request that the rejection be withdrawn.

Claims 6, 12, 21, and 27 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to enable the term “complete, non-leaf task.” Applicants respectfully traverse this rejection and submits that steps 454 and 466 of Figure 4c, as an example enables this claimed feature. In particular, step 454 determines whether or not a current task is a leaf task. If the task is not a leaf task then, logically, this task is a non-leaf task. Additionally, in subsequent step 466 at determination as to whether the current task, which, by virtue of the decision in step 454, is a non-leaf task, is complete. Thus, the term “complete, non-leaf tasks” is enabled to one of ordinary skill in the art in order to make and use this claimed feature. Accordingly, Applicants respectfully submit that this term is enabled and request the withdrawal of the rejection, accordingly.

Claim 7, 13, 22, and 28 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to enable the term “incomplete, non-leaf tasks.” Applicants respectfully traverse this rejection and submits that, as discussed above, step 454 of Figure 4c, as an example, teaches one of ordinary skill in the art to determine between leaf and non-leaf task. Further, step 466 determines whether or not non-leaf task or complete or incomplete. Accordingly, Applicants respectfully submit that this term is enabled according to the requirements of §112, first paragraph and request that this rejection be withdrawn, accordingly.

Claims 1-28 were rejected under 35 U.S.C. §101 due to an allegation that the claims lack patentable utility. The Office Action states, correctly, that the practical application test requires that a useful, concrete and tangible result be accomplished. Such a result is indeed found in these claims. Specifically, the claimed methods of independent claims 1 and 14, for example,

generate a list of possible statements in response to the received statement for the learner to make from the statements contained within the dynamic data model. Such a list of possible statements is indeed a useful, concrete and tangible result and, thus, these claims do not run afoul of the requirement of 35 U.S.C. §101. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 1-30 were rejected under 35 U.S.C. §102(e) as being anticipated by Lannert et al. (U.S. Patent No. 6,029,156). Applicants respectfully traverse this rejection for the following reasons.

The Office Action asserts that Lannert et al. discloses all of the elements of claims 1, 14 and 29. In particular, the Office Action asserts that Lannert et al., among other things, teaches generation of a list of possible statements in response to a received statement for a learner to make from statements contained within a dynamic data model. In support of this assertion, it appears the Office Action references column 11, lines 23-36 of Lannert. The teachings of Lannert, however, do not actually teach generation of a list of possible statements in response to a received statement for the learner to make from the statements contained within a dynamic data model as featured in the claim, but rather, merely teaches in general terms a simulation model. The Intelligent Coaching Agent (ICA) taught by Lannert, for example, merely generates feedback based on a set of rules. This feedback, however, is not taught or suggested to be akin to a software code that generates a list of possible statements in response to a received statement from a learner, which are for use by the learner to make in the simulation. Accordingly, Applicants respectfully submit that this element, for example, is not taught or suggested by Lannert et al. Accordingly, Applicants respectfully submit that independent claims 1, 14 and 29 are allowable over the prior art of record.

With respect to dependent claims 2-13, 15-28 and 30, these claims are submitted to be allowable at least by virtue of their dependency on independent claims 1, 14 and 29, respectively.

In light of the foregoing remarks, Applicants respectfully submits that the application is in condition for allowance and request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY


Patrick B. Law

Reg. No. 41,549

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 781-6801

Dated: December 3, 2003